

MINUTES

County Council Meeting

April 20, 2015

Spartanburg County Council met on Monday, April 20, 2015, in the County Council Chambers, 366 N. Church Street, Spartanburg, SC, at 5:30 p.m. The following attended: Honorable Jeff Horton, Chairman; Honorables Michael Brown, Justin Bradley, David Britt, Jane Hall, Bob Walker, and Roger Nutt, Council Members; along with Katherine O'Neill, County Administrator; Jim Hipp, Deputy County Administrator; Lisa Claxton, County Attorney; John Harris, Senior Deputy County Attorney; and Ginny Dupont, Deputy County Attorney.

In compliance with the Freedom of Information Act, notice of this meeting was provided in advance to the local news media and other interested parties.

I.

Chairman Horton called the meeting.

Invocation was rendered by Chaplain Amos Durham. Honorable Jane Hall led in reciting the Pledge of Allegiance.

II.

- A. Motion made by Mr. Brown to adopt a Resolution recognizing the invaluable services provided by the Spartanburg County Communications/9-1-1 Department and proclaiming the week of April 12-18, 2015 as Telecommunicators Week. Motion seconded by Mr. Britt and carried. Mr. Mike Flynn and Staff received Resolution.
- B. Motion made by Mr. Brown to adopt a Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by the achievements of **Tim Watson** of Spartanburg County Communications/9-1-1 in being named Telecommunicator-of-the-Year. Motion seconded by Mr. Nutt and carried.

III.

Chairman Horton recognized Felicia Kitzmiller, our Reporter with Herald-Journal, for her conscientious and fair reporting and wished her the best on pursuing her law degree.

Mr. Horton also recognized Lisa Claxton, County Attorney, for the tremendous job she has done with the County and thanked her for her service. Ms. Claxton has accepted a position that will allow her to work from home. Councilman Bradley recognized Lieutenant Matt Hutchins, Special Victims Unit, Sergeant Tony Brown, Investigator John Kent, Investigator Heather Forrester, Investigator Tracy Moss, and Investigator Bryan Wilkins for their work on the recent Human Trafficking case. Although not in attendance, U.S. Homeland Security Investigators Special Agent Steve Michaels and Special Agent Joseph Bardol, and Investigator Shannon Piller, Greenville County Sheriff's Office, were also recognized.

Ms. O'Neill recognized Sabrina Mason, Finance Director; Lacey Brady, Deputy Finance Director; Lisa Benfield, Internal Auditor; Cole Alverson, Budget Director; and Kelly Newman, Deputy Budget Director, for helping Spartanburg County receive the Certificate of Achievement for Excellence in Financial Reporting. This award has been presented to Spartanburg County for 22 years. Inspector Steve Pettit, Environmental Enforcement Department, was recognized for taking time to stop to check on a gentleman that was hiking the Palmetto Trail to see if he needed any help. Jerry Glover and Gary Splawn were recognized for their work with DHEC regarding the septic tank requirement for the release of power to the home. As of March 1, this requirement is waived. Ms. O'Neill also thanked Mark Cash and Jessica Gilliland, Information Technologies Department, for the good job they did with their Application Development Project.

IV.

- A. Chairman Horton declared open a public hearing to consider an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Teu Thang, Community of Khher Buddhist Monks**, from 4:00 p.m. until 11:55 p.m. on Saturday, May 23, 2015 to have an Offering to the death of family at 841 Shiloh Church Road, Wellford. No one appeared, and the matter was closed.
- B. Chairman Horton declared open a public hearing to consider an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Helzing Macedo** from 4:00 p.m. until 11:30 p.m. on Saturday, April 25, 2015 for a Birthday Party at 327 Terra Woods Lane, Lyman. No one appeared, and the matter was closed.
- C. Chairman Horton declared open a public hearing to consider an Application for Special Public Event Exclusion from the Noise Ordinance requested by **James Martini, Boiling Springs Ale House**, from 6:30 p.m. until 10:30 p.m. every Thursday starting April 23, 2015 through May 28, 2015 for Music on 9 at 2220 Boiling Springs Road, Boiling Springs. James Martini, 229 Mason Drive, Inman, appeared on behalf of Boiling Springs Ale House. Mr. Martini stated that they are a family restaurant, and they had a great event the last time they had the Music on 9. They now have different plans in place to make the noise go a different direction to help the neighbors. They also requested making an adjustment on the time to end it at 9:30 p.m. or 10:00 p.m. They are also willing to lower the

noise. Charles Wyatt, 518 Chippendale Lane, Boiling Springs, and William Bland, 426 Chippendale Lane, Boiling Springs, appeared in opposition to the Noise Ordinance Exclusion stating the amplified music at a previous concert at the Boiling Springs Ale House was too loud. The matter was closed.

- D. Chairman Horton declared open a public hearing to consider an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Greer Dragway** from 4:00 p.m. until midnight on Saturday, May 9, 2015 and Saturday, May 23, 2015 for a drag race at 1792 Dragway Road, Greer. No one appeared, and the matter was closed.

V.

Economic Recruitment and Development Committee – (Honorable David Britt, Chairman)

- A. Motion made by Mr. Britt to approve the Bylaws of the Upstate Workforce Investment Board (WIB) of the consortium of Cherokee, Spartanburg and Union Counties for the implementation of Public Law 113-128. Motion seconded by Mr. Brown and carried.
- B. Motion made by Mr. Britt to approve the Consortium and Administrative Agreement between the Upstate Workforce Investment Board and the Chief Elected Officials of Cherokee, Spartanburg, and Union Counties. Motion seconded by Mr. Brown and carried.
- C. Motion made by Mr. Britt to approve and authorize the County Council Chairman and County Administrator to sign the Workforce Development Area Designation Petition for Upstate Workforce Investment Board. Motion seconded by Mr. Brown and carried.
- D. Motion made by Mr. Britt to amend the recommendation of the committee to clarify the geographic area in composition of the ReWa Commission to include a member who resides in Spartanburg County, and specifically the committee would authorize the County Administrator and/or Chairman of County Council to write a letter in support of Resolution Number 5-2015 related to TPW and the adoption of ReWa Service Agreement with geographic area to include area defined by Greer CPW Resolution Number 5-2015, as well as the geographic area generally boarded by Reidville Road, Highway 101, Highway 417, and the Enoree River to be more completely defined by legislation submitted to the General Assembly and the composition of the ReWa Commission would also expand to include a member who resides in Spartanburg County. Motion seconded by Mr. Nutt and carried. Motion made by Mr. Britt to approve the amendment to the above motion. Motion seconded by Mr. Brown and carried.

Public Health and Human Services Committee (Honorable Justin Bradley, Chairman)

- A. Ms. Nancy Holland, Executive Director, presented information in reference to Mental Health America of Spartanburg County. (A brochure is included in backup.)

- B. Motion made by Mr. Bradley to render first reading to an Ordinance to amend Chapter 2, Article V, Division 2 of the Spartanburg County Code of Ordinances relative to the Spartanburg Alcohol and Drug Abuse Commission to provide for a change in the name of the commission which better encompasses all elements of services and treatment provided to the residents of Spartanburg County. Motion seconded by Ms. Hall and carried.
- C. Motion made by Mr. Bradley to approve filing of a SADAC grant application for the Bridge Grant renewal. Motion seconded by Mr. Brown and carried.
- D. Motion made by Mr. Bradley to approve filing of a SADAC grant application for the Community Change through Alcohol and Tobacco Compliance Buys Grant. Motion seconded by Mr. Brown and carried.
- E. Motion made by Mr. Bradley to approve filing of a SADAC grant application for the United Way Project CUE (Caring, Understanding, and Encouragement). Motion seconded by Mr. Brown and carried.
- F. Motion made by Mr. Bradley to approve filing of a SADAC grant application for the United Way Youth Advisory Board (YAB) Grant. Motion seconded by Mr. Brown and carried.

Personnel and Finance Committee (Honorable Bob Walker, Chairman)

- A. County Administrator Katherine O'Neill presented information in reference to the FY 2016 Budget Presentation and Budget Calendar. (Presentation is included in backup.) A Budget Workshop to include first reading of the FY 2016 Budget is scheduled for May 4; second reading and public hearing are scheduled for May 18, 2015; and third reading is scheduled for June 15, 2015. Motion made by Mr. Walker to adopt the Budget Schedule. Motion seconded by Mr. Bradley and carried.
- B. Motion made by Mr. Walker to adopt a Resolution authorizing the County Administrator to finalize and implement a new Employee Handbook with revised and updated policies and procedures and expressly rescinding and revoking the Spartanburg County Policy and Procedures Manual currently used by the County. Motion seconded by Ms. Hall and carried.
- C. Updated financial data and personnel vacancy reports were received.

Livability Committee – (Honorable Jane Hall, Chairman)

- A. Motion made by Ms. Hall to approve filing of grant application for the Annual Summer Food Service Program (SFSP). Motion seconded by Mr. Britt and carried.
- B. Motion made by Ms. Hall to adopt a Resolution to adopt preliminary plans for the renovation of Chesnee Park, Cowpens Park, Enoree Park, Inman Sports Complex and Pacolet Park as well as construction of the Lake Cooley Outdoor Recreation Center. Motion seconded by Mr. Britt and carried. Mr. Bradley and Mr. Nutt opposed.
- C. Information received regarding activities of the Parks Department.

Public Safety and Judiciary Committee – (Honorable Michael Brown, Chairman)

- A. Motion made by Mr. Brown to approve filing of a Communications/9-1-1 grant in partnership with the City of Spartanburg. Motion seconded by Ms. Hall and carried.
- B. Updated information received regarding activities of Building Codes Department.

Land Use Committee (Honorable Jeff Horton, Chairman)

- A. Updated Planning Department Reports on Development Activity were received.

Public Works, Buildings and Grounds Committee (Honorable Roger Nutt, Chairman)

- A. County Administrator Katherine O'Neill presented information in reference to a geographic feature name change from Greenville Branch to Butterfly Creek in Spartanburg County. Motion made by Mr. Nutt to approve the name change and authorize the County Administrator to send a letter of support. Motion seconded by Mr. Britt and carried.
- B. County Administrator Katherine O'Neill presented information in reference to an agreement with Probation, Parole and Pardon Services. The Probation, Parole and Pardon Services has shared with us their Public Service Program. Ms. O'Neill has asked Jamie Nelson if he would help us with a pilot program where we would receive clients from Probation, Parole and Pardon Services who would help us as part of their community service hours. Motion made by Mr. Nutt to approve the Agreement with Probation, Parole and Pardon Services. Motion seconded by Mr. Britt and carried. The Budget Amendment was handled later in the meeting with the other Budget Amendment Resolutions.
- C. Ms. Jes Sdao Swanson, Recycling Coordinator, presented information in reference to an Annual Solid Waste grant application to help maintain Tire Recycling Management Program. Motion made by Mr. Nutt to approve submittal of the grant application. Motion seconded by Mr. Britt and carried.
- D. Ms. Jes Sdao Swanson, Recycling Coordinator, presented information in reference to an Annual Solid Waste grant application to promote the Waste Oil Recycling Program. Motion made by Mr. Nutt to approve submittal of the grant application. Motion seconded by Mr. Britt and carried.
- E. Updated information received regarding activities of the Public Works Department.

VI.

Ms. Jenneane Froman, owner of Henson Management, P.O. Box 160207, Boiling Springs, appeared to speak in reference to the Hospitality Tax. Mr. Whitney Farr, P.O. Box 11, Reidville, appeared to speak in reference to taxes and road maintenance.

VII.

- A. Motion made by Mr. Britt to render third reading to an Ordinance authorizing the execution and delivery of a Fee in Lieu of Tax Agreement by and between Spartanburg County, South Carolina and **Kobelco Construction Machinery (U.S.A.), Inc.** with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes, including the provision of certain Special Source Credits; and other matters related thereto. Motion seconded by Mr. Brown and carried.
- B. Motion made by Mr. Britt to render third reading to an Ordinance to Amend the Agreement for Development for Joint County Industrial Park by and between Spartanburg County and Cherokee County, South Carolina, so as to include Additional Property in Spartanburg County as part of the Joint County Industrial Park, and other Matters relating thereto. (**Kobelco Construction Machinery (U.S.A.), Inc. and Toray Carbon Fibers America, Inc.**) Motion seconded by Mr. Brown and carried.

XIII.

- A. Motion made by Mr. Brown to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Teu Thang, Community of Khher Buddhist Monks**, from 4:00 p.m. until 11:55 p.m. on Saturday, May 23, 2015 to have an Offering to the death of family at 841 Shiloh Church Road, Wellford. Motion seconded by Ms. Hall and carried.
- B. Motion made by Ms. Hall to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Helzing Macedo** from 4:00 p.m. until 11:30 p.m. on Saturday, April 25, 2015 for a Birthday Party at 327 Terra Woods Lane, Lyman. Motion seconded by Mr. Brown and carried.
- C. Motion made by Ms. Hall to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by **James Martini, Boiling Springs Ale House**, from 6:30 p.m. until 10:30 p.m. every Thursday starting April 23, 2015 through May 28, 2015 for Music on 9 at 2220 Boiling Springs Road, Boiling Springs. Motion seconded by Mr. Walker. Chairman Horton recommended that Mr. Martini talk with the property owners in the area and see if the homeowners in the area are more receptive at a different timeframe, perhaps after school is out. Motion failed. Mr. Horton, Mr. Brown, Mr. Bradley, Mr. Britt, Ms. Hall, Mr. Walker and Mr. Nutt all opposed.
- D. Motion made by Mr. Britt to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Greer Dragway** from 4:00 p.m. until midnight on Saturday, May 9, 2015 and Saturday, May 23, 2015 for a drag race at 1792 Dragway Road, Greer. Motion seconded by Ms. Hall and carried.

IX.

All resolutions, ordinances, agreements, petitions and related documents which were read and approved by Council at this meeting for the financing of certain industrial or similar revenue bonds or notes, are incorporated in these minutes by reference as if fully set forth herein. The reference is to all such documents showing execution by the county on the date of this meeting included in the office of the Clerk of Court for Spartanburg County.

X.

- A. The following Budget Amendment Resolutions were provided to County Council. Budget Amendment Resolution Number 15260 accepts the donation of a couch for the 9-1-1 Communications Center. Budget Amendment Resolution Number 15261 moves funds from general fund for implementation of phase two of the Document Management & Workflow Collaboration Project (IT0015). Budget Amendment Resolution Number 15262 unfreezes slot H80, an Environmental Enforcement Officer position, in the Solid Waste Fund. Budget Amendment Resolution Number 15263 carries forward the remaining grant funds on Sheriff JAG Grant 2012-DJ-BX-1157. This grant was approved by Council in August 2012 for metal detectors, ear pieces and defibrillators. Budget Amendment Resolution Number 15264 accepts the unsolicited donation of a shuffleboard table from Ms. Ellen Batton, for utilization at the Timken Community Center in Cowpens. Budget Amendment Resolution Number 15265 authorizes additions to the Parks department fleet. Budget Amendment Resolution Number 15266 increases the WIB Office Budget by \$1,000 with unobligated funds to help cover the costs of the annual report that has been reformatted this year as well as to buy additional promotional items. Budget Amendment Resolution Number 15267 recognizes the insurance revenue for a totaled Sheriff's Office vehicle, unit #1780, and sets up the corresponding expenditure for future replacement. Budget Amendment Resolution Number 15268 transfers storm water funds from the Countywide Bridge & Culvert Repair & Maintenance Project (BR0001) and creates a new project, ST0007 Ebel Court Sewer project.

Motion made by Mr. Britt to approve the Budget Amendment Resolutions provided to Council. Motion seconded by Mr. Nutt and carried.

XI.

Motion made by Mr. Britt to approve the minutes of March 16, 2015 (Regular Meeting). Motion seconded by Mr. Bradley and carried.

Spartanburg County Council
April 20, 2015

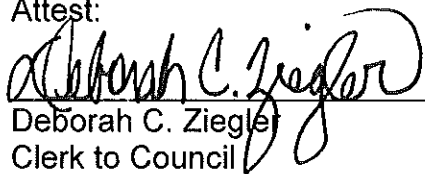
XII.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By: 
Jeffrey A. Horton, Chairman

Attest:


Deborah C. Ziegler
Clerk to Council